

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

MARQUIS GEDDIS, )  
                        )  
Plaintiff,         )  
                        )  
v.                     ) CASE NO. \_\_\_\_\_  
                        )  
HARRY MORRIS, DAILY )  
EXPRESS, INC., JOHN DOES 1-2, )  
ABC CORP., AND XYZ CORP., )  
                        )  
Defendants.         )  
                        )

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**NOTICE OF REMOVAL**

TO: The Judges of the United States District Court for the Northern District of Georgia

The Defendants, Harry Morris and Daily Express, Inc., respectfully show the Court the following:

1.

A civil action has been brought against the Defendants in the Superior Court of Clayton County, State of Georgia, by the above named Plaintiff, said action being designated as Civil Action No. 2023CV01631-10. Said action seeks recovery of an amount in excess of \$75,000.00. The assessment and conclusion that the amount in controversy exceeds \$75,000.00 in this action is based on three factors.

- a) The lengthy and detailed \$800,000.00 written demand sent by the Plaintiff before this action was filed;
- b) The Plaintiff's counsel's specific confirmation that the amount in controversy in this action exceeds \$75,000.00 when specifically asked after the Complaint in this matter was filed whether the amount in controversy exceeds \$75,000.00;
- c) The Plaintiff's explicit reiteration of his \$800,00.00 pre-suit written demand which occurred in response to a request for him to confirm that the amount in controversy in this action exceeds \$75,000.00.

2.

The Plaintiff is now, and was at the commencement of this suit and at all times since, a citizen and resident of the State of Georgia.

3.

Defendant Daily Express, Inc., a Pennsylvania corporation, is now, and was at the time of the commencement of this suit and at all times since, a corporation organized and existing under the laws of the State of Pennsylvania, having its principal place of business in Carlisle, Pennsylvania. Defendant Daily Express, Inc. agrees and consents to the removal of this action to Federal Court.

4.

Defendant Harris Morris is now, and was at the commencement of this suit and at all times since, a citizen and resident of the State of Tennessee. Defendant Morris agrees and consents to the removal of this action to Federal Court.

5.

The Defendants attach hereto a copy of the Summons and Complaint (as served on the Defendants) filed in the Superior Court of Clayton County, Georgia marked as Exhibit “A”; a copy of Plaintiff Marquis Geddis’ First Request for Admissions to Defendant Daily Express, Inc. marked as Exhibit “B”, a copy of Plaintiff Marquis Geddis’ First Interrogatories to Defendant Daily Express, Inc. marked as Exhibit “C”, a copy of Plaintiff Marquis Geddis’ First Continuing Request for Production of Documents to Defendant Daily Express, Inc. marked as Exhibit “D”; and a copy of the Defendants’ Answer to Plaintiff’s Complaint marked as Exhibit “E”.

6.

Now, within thirty (30) days after receipt of the Summons and Complaint, Defendants file this their Notice of Removal of said action to this Court.

7.

This action is removable by reason of diversity of citizenship of the parties and the fact there is more than \$75,000.00 in controversy, exclusive of interest and costs.

WHEREFORE, the above-named Defendants Harris Morris and Daily Express, Inc. file this their Notice of Removal of said cause to this Court.

Respectfully submitted this 30<sup>th</sup> day of June, 2023.

WEBB, ZSCHUNKE, NEARY  
& DIKEMAN, LLP

/s/ Marvin D. Dikeman

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing **NOTICE OF REMOVAL** (prepared in Times New Roman 14 point font) with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorney of record:

Hung Q. Nguyen, Esq.  
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This 30<sup>th</sup> day of June, 2023.

*/s/ Marvin D. Dikeman*  
\_\_\_\_\_  
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